

PROTECTING YOUNG VICTIMS FROM SEXUAL ABUSE ACT

Mrs. FEINSTEIN. Mr. President, yesterday I introduced the Protecting Young Victims from Sexual Abuse Act, a bill to protect young athletes who participate in the U.S. amateur ranks from sexual abuse.

Before last summer's Olympic Games in Rio de Janeiro, the Indianapolis Star published an investigative piece that revealed that amateur gymnasts were sexually abused in gyms all across the country. No one knew how widespread the problem was in that sport.

But throughout the investigation, the Indianapolis Star tallied—after reviewing police files and court cases across the country—368 gymnasts who alleged they were sexually abused over a 20-year time period.

Kids as young as 6 were secretly photographed in the nude by coaches. Young athletes were molested by coaches during “therapy” sessions. Sexual predators spent countless hours with children one-on-one and abused them for years before anything was done. These accounts were devastating. And they were just the tip of the iceberg.

After reviewing this report, I, along with my colleagues Senator LEAHY, Senator BLUMENTHAL, and Senator DONNELLY, wrote to USA Gymnastics to urge the organization to do more to protect their young athletes.

Specifically, we urged the organization to update its policies and require that all members—including coaches, athletes, and others—immediately report to law enforcement when there is an incident of sexual abuse committed against an athlete.

After we sent the letter, several sexual abuse victims from California reached out to my staff. They revealed that they were abused by individuals affiliated with USA Gymnastics. I told my staff that I had to meet them.

Six brave women, who were each abused as young gymnasts at various points in their careers, then travelled across the country to share their testimonies with me. Two athletes from another sport who were sexually abused also joined us. I will never forget their faces that day. When I walked into the room, I could sense the overwhelming devastation wrought on their lives.

One by one, they shared their hopes and dreams as young athletes. The gymnasts talked about how, while pursuing future Olympic glory, they put their complete faith in the USA Gymnastics infrastructure. They fully trusted the coaches and doctors who had the USA Gymnastics seal of approval. And it was in this environment that they were sexually exploited by those whom they trusted.

Several of the women had been abused repeatedly—over the course of months and years—by a USA Gymnastics team doctor named Larry Nassar. Nassar is currently being prosecuted for a number of horrific crimes against children. One of those brave

women was Jamie Dantzschler, a retired gymnast who won the bronze medal competing in the 2000 Olympics in Sydney. Jamie told me how she trained as a young girl in California. When she was 13 years old, she was thrilled to be invited to train with the national USA Gymnastics team. It was with the national team that Nassar gained her trust. Nassar became her “buddy,” in the midst of an intense training environment. With USA Gymnastics backing him as a famous doctor and trainer, Jamie felt that there was absolutely no reason to believe Nassar was not trustworthy.

So when Jamie went to see Nassar for back pain, she was confused when Nassar began to touch her in inappropriate places. She was 13 and 14 years old. As she described the abuse to me in graphic detail, the other women around the room began to sob quietly. The tactics that Nassar used were too familiar to them.

And for the longest time, each of the victims believed that their horrific experiences were one-off events, that they were isolated in their own subjective memories. But the sharing of their stories—together in that room with me and the others—affirmed to them that what they had experienced was wrong.

One of the other gymnasts who bravely shared her story with me was Jeanette Antolin, who competed on the national team in the late nineties. Hailing from southern California, Jeanette shared how she was incredibly fearful of ever saying anything about the abuse committed against her because she believed she was being treated by a world-class doctor with USA Gymnastics' approval. As an aspiring Olympian, she feared that if she complained about anything, it would affect her career.

The same fears had overcome Jessica Howard, a rhythmic gymnast who was 15 years old when Nassar began abusing her. She was sent to Nassar for hip problems, and he told her that she should not wear any underwear for her treatment. At the time, she was confused and afraid to say anything to anyone. She believed she would be prevented from pursuing her dreams if she said anything.

I also met Doe Yamashiro from southern California. Doe was sexually abused by a 1984 Olympic Coach named Don Peters. In the mid-1980s, Coach Peters began fondling Doe and then had sex with her. Doe told me and the group of the pain and anguish she still suffers from many years later. The same pain and devastation was felt by all of the young victims who were in the room.

One of the common themes I heard from their stories was not just the predatory behavior of the perpetrators, but also how the USA Gymnastics institution failed to protect them. One of the women told me how she heard USA Gymnastics officials say at one point that it was their top priority to obtain “medals and money” and that a “rep-

utation of a coach” should not be tarnished by an allegation raised by a victim.

This shocked me, and as I dug deeper into the USA Gymnastics institution, which is considered a “national governing body” under Federal law and oversees over 3,000 gymnasiums nationwide, I saw that their policies made it harder for victims, rather than easier, to report incidents of abuse. Their by-laws stated, for example, that the only way for a member athlete to “effectively” make a complaint about a coach was through a signed, written complaint.

Furthermore, USA Gymnastics' policy indicated that the organization “may” report sexual abuse to law enforcement authorities if a child's safety was at risk, but it was not mandatory. It further stated that it complied with State mandatory reporting laws, but if a State law didn't require anything more, there was no other obligation to do anything else.

It is my strong belief that these arcane policies left children vulnerable to the advances of sexual predators and failed to protect them even when incidents came to light. For example, in reviewing USA Gymnastics' history in public accounts, there were multiple instances where gymnastics coaches were convicted of heinous child sex crimes, years after USA Gymnastics had received complaints about those coaches. In other words, USA Gymnastics appears to have sat on reports of sexual abuse for years, while predators continued to prey on children.

At the end of my meeting with the survivors, I looked at each of them and told them that I would work on legislation to protect other kids and amateur athletes like them from sexual predators.

The legislation we have introduced does three main things to help child sex abuse survivors. It is a strong bipartisan bill, and I want to extend my deepest thanks to those Members who have worked with me on it, including Senators COLLINS, GRASSLEY, DONNELLY, NELSON, BLUMENTHAL, FLAKE, MCCASKILL, ERNST, KLOBUCHAR, SHAHEEN, WARREN, HARRIS, CORTEZ-MASTO, RUBIO, and YOUNG.

The first thing the bill does is to mandate that any person affiliated with USA Gymnastics or other national governing bodies immediately report child abuse, including sexual abuse, to local or Federal law enforcement. This requirement would apply not only to USA Gymnastics, but to each of the other 47 national governing bodies that oversee various Olympic sports, including USA Taekwondo, USA Speed Skating, USA Swimming, and USA Cycling. It is absolutely imperative that a bright line be drawn for all those working with national governing bodies that, once there are facts giving rise to suspect child or sex abuse, a report must be made as soon as possible to proper authorities. This bill mandates that.

Second, this bill strengthens Masha's law, which was named after a 5-year-old Russian orphan who was adopted by an American man only to be raped and sexually abused by him for 6 years until he was finally caught by the FBI in 2003. Her adoptive father had not only abused her, but he had also produced over 200 sexually explicit images of that abuse. Masha's law allows civil suits by minors against sex abuse perpetrators who violate a variety of crimes against children, including sex trafficking, sexual exploitation, and child pornography crimes.

This law is significant for victims to obtain justice because there are times when criminal cases against perpetrators are declined due to difficulties in proving a criminal case. Therefore, for many traumatized victims, the only avenue for them to ever seek justice against their perpetrators is through Masha's law or other civil remedies.

The bill, therefore, updates Masha's law to help victims. It clarifies, for example, that victims of child sex crimes are entitled to statutory damages of \$150,000 and possible punitive damages, due to the particularly severe nature of the crimes.

The bill also extends the statute of limitations for Masha's law. The statute of limitations extension is part of legislation that Senator CORNYN and I have worked on over the past couple of years, called the Extending Justice for Sex Crime Victims Act.

Finally, the bill makes reforms to the Ted Stevens Olympic and Amateur Sports Act, which establishes "national governing bodies" like USA Gymnastics. The Stevens Act specifically lists the authorities and duties of national governing bodies.

When I first wrote to USA Gymnastics about its poor handling of sexual abuse allegations, they replied that the Stevens Act limits their abilities to fully protect athletes from sexual abuse, so this bill fixes that. It requires national governing bodies like USA Gymnastics to develop for each of its members: specific policies and procedures for the mandatory reporting of sex abuse to law enforcement, policies and procedures to keep track of coaches who leave one gym due to complaints and then go to another gym and repeat cycles of abuse, policies to ensure that minors and amateur athletes are not in one-on-one situations with adults, policies to facilitate reporting of sex abuse allegations to national governing bodies and other authorities, and stronger oversight and enforcement policies so that the national governing bodies take a greater role in making sure that the policies are actually being implemented and enforced throughout the country.

These provisions give national governing bodies like USA Gymnastics absolutely no excuse to make sure that all members are subjected to the strongest training and procedures to prevent sexual abuse.

It further forces organizations like USA Gymnastics to impact the culture

of their sports, through various oversight mechanisms, to make sure that all members of such organizations adhere to the strictest standards when it comes to sexual abuse prevention.

Finally, I would like to close with this. All over the country, victims of sexual abuse are coming forward to disclose how they were abused and exploited at the height of their innocence when they were children. Multiple victims from California and throughout the country have, for example, contacted my office and described with great courage their pain and anguish. Rather than list statistics, I want you to know that each of these individual stories represents an untold amount of pain and suffering that reverberates throughout generations, leaving devastation in its path. I urge my colleagues in this body to work with me and the sponsors of this bill to pass this important legislation to protect victims.

I would also like to acknowledge the support for this bill from the National Center for Missing and Exploited Children, National Children's Alliance, Rights4Girls, University of Utah Law Professor Paul Cassell, Child Sex Crime Victims' Lawyer James Marsh, Crime Victims Expert Steve Twist, National Crime Victims Center, Child USA, National Association of VOCA Administrators, National Organization for Victim Assistance, ToPrevail, ChampionWomen, National Children's Advocacy Center, National Alliance to End Sexual Violence, the National Association to Protect Children, and the Rape Abuse & Incest National Network.

They are on the front lines of this work, and I greatly appreciate their support.

Thank you very much.

Ms. COLLINS. Mr. President, today I wish to support the Protecting Young Victims from Sexual Abuse Act of 2017. I commend Senator FEINSTEIN for her leadership on this bill and for shining a spotlight on the atrocious crimes perpetrated against young American athletes.

Sexual abuse is a heinous crime that must be eradicated in every corner of our society. I have long worked to prevent sexual assault and ensure that survivors have access to the resources and support they need. Last year, the Indianapolis Star reported on allegations of sexual abuse and misconduct made against coaches, gym owners, and other adults affiliated with USA Gymnastics over several decades. These very serious allegations included sexual abuse against young athletes. Predatory coaches were allowed to move from gym to gym, undetected by a lax system of oversight. The investigation also revealed that officials at USA Gymnastics, one of America's most prominent Olympic organizations, failed to alert police to many incidents of sexual abuse that occurred on their watch.

These crimes have hurt hundreds of victims across various sports. This

Protecting Young Victims from Sexual Assault Act would require amateur athletic governing bodies, such as USA Gymnastics and other U.S. Olympic organizations, to promptly report every allegation of sexual abuse to the proper authorities. This legislation would help survivors receive justice and protect more people from becoming victims.

In addition, the Protecting Young Victims from Sexual Assault Act would require these national governing bodies to develop robust policies and procedures for mandatory reporting to law enforcement and to develop training and oversight practices to prevent abuse. This bill would also bolster Masha's Law, the law that lets minors bring civil suits against sexual predators and extends the statute of limitations for such cases.

The young athletes who train to represent our country at the top levels of competition and those at all levels who aspire to compete should not have to fear victimization by trusted coaches and sports officials. I want to again thank Senator FEINSTEIN for her leadership on this issue. I urge my colleagues to support the legislation.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 10:02 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that pursuant to 46 U.S.C. 51312(b), and the order of the House of January 3, 2017, the Speaker appoints the following Member on the part of the House of Representatives to the Board of Visitors to the United States Merchant Marine Academy: Mr. SUOZZI of New York.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 46. An act to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York; to the Committee on Energy and Natural Resources.

H.R. 428. An act to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, and for other purposes; to the Committee on Energy and Natural Resources.